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MS PETITION
Attorney Docket No. 24857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Erhard MUELLER, et al.

Application No.: 10/014,796

Group Art Unit: 1774

Filed: December 14, 2001

Examiner: J.M. GREY



Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION
AND THE USE THEREOF

TRANSMITTAL LETTER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Petition under 37 CFR 1.182;
- (3) Copy of stamped filing receipt and filing documents indicating the submission of priority document previously filed on February 19, 2002;
- (4) Copy of stamped filing receipt and filing documents indicating a total of 17 IDS references were previously filed on February 27, 2002;
- (5) Copy of stamped filing receipt and filing documents indicating a total of 7 IDS references were previously filed on May 22, 2002;
- (6) Copy of Office Action with mail date March 18, 2004 with initialed PTO-1449 forms received from Examiner;
- (7) PTO-1449 Form listing 13 references with references;
- (8) Check No. 20708 \$130.00 for Petition under 37 CFR 1.182.

The Commissioner is hereby authorized to charge or deposit any deficiency or overpayment to deposit account 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: G M Nath
Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Jarrod N. Raphael
Registration No. 55,566
Customer No. 20529

Date: March 25, 2004
NATH & ASSOCIATES PLLC
1030th 15th Street, NW - 6th Floor
Washington, D.C. 20005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Erhard MUELLER, et al.

Application No.: 10/014,796

Group Art Unit: 1774

Filed: December 14, 2001

Examiner: J.M. GREY

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION AND
THE USE THEREOF

PETITION UNDER 37 C.F.R. 1.182

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of the Office Action with mailing date March 18, 2004. On page 2 of the Office Action, the Examiner states that a certified copy of the German priority document was not received, as well as the PTO-1449 forms previously submitted in two Information Disclosure Statements are being returned and are not fully initialed due to copies of the references not being submitted.

Applicant would like to address both of these issues in sequence.

Enclosed is a copy of the stamped filing receipt with the date February 19, 2002 indicating that (German) priority document no. 100 62 881.8 was submitted at the U.S. Patent and Trademark Office. Along with a copy of the stamped filing receipt is also a copy of the filing documents and face of the priority document submitted therein.

Further, enclosed are copies of the stamped filing receipts with dates February 27, 2002 and May 22, 2002 indicating that on both occasions an Information Disclosure Statement was filed at the U.S. Patent and Trademark Office. Along with copies of the stamped filing receipts are also copies of the filing documents accompanying each Information Disclosure Statement filed on each date, respectively.

Applicant asserts that German priority document 10 62 881.8 was submitted to the U.S. Patent and Trademark Office on February 19, 2002 and has enclosed a copy of the stamped filing receipt, along with a copy of the filing documents, and a copy of the face of the accompanying priority document as *prima facie* evidence that such a document was submitted to the U.S. Patent and Trademark Office on said date. As such, applicant requests the U.S. Patent and Trademark Office to acknowledge that such a document has been received by the Office, and that the requirements for a claim to priority for such a date have been perfected.

03/26/2004 CNGUYEN 00000035 10014796

130.00 DP

01 FC:1460



Further, applicant asserts that the references listed on the two PTO-1449 forms submitted with the Information Disclosure Statement filed February 27, 2002, and the references listed on the single PTO-1449 form submitted with the Information Disclosure Statement filed May 22, 2002 were submitted in full to the U.S. Patent and Trademark Office on those dates as shown by the enclosed copies of the stamped filing receipts and copies of the filing documents for both Information Disclosure Statements. Applicant is submitting copies of the stamped filing receipts and copies of the filing documents as *prima facie* evidence that such references were submitted to the U.S. Patent and Trademark Office in full on each such date.

Accordingly, applicant respectfully requests the Examiner to review the references lined through on the returned PTO-1449 forms in regards to the patentability of the above referenced application, and to acknowledge that these references have been fully considered.

Applicant further respectfully requests that the surcharge typically associated with filing an Information Disclosure Statement after the issuance of an Office Action be waived in light of the above stated facts and evidence submitted herein.

Applicant also respectfully requests that the petition fee associated with this petition be refunded to applicant at deposit account 14-0112, since all documents referred to in this petition were timely filed at the U.S. Patent and Trademark Office.

Applicant has re-submitted the references lined through on the original PTO-1449 forms returned by the Examiner, and are listed on a new PTO-1449 form submitted herein. The Examiner is respectfully requested to acknowledge these references, and initial the adjacent box to each reference as confirmation that all the references re-submitted herein have been fully considered.

Should any questions or comments arise in connection with the filing of this petition, Applicant respectfully requests a telephone call to the undersigned attorney at the telephone number shown.

The Commissioner is authorized to charge any deficiency or credit any over payment to deposit account 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: March 25, 2004
NATH & ASSOCIATES PLLC
1030 15TH Street, N.W. 6th Floor
Washington, D.C. 20005
Tel. 202-775-8383
Fax. 202-775-8396
GMN/THE/JNR:Petition

By:

G M Nath 7H
Gary M. Nath
Registration No. 26,965
Tanya E. Harkins
Registration No. 52,993
Jarrod N. Raphael
Registration No. 55,566
Customer No. 20529



BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Group Art Unit: 1712

Date: February 19, 2002

Attorney: GMN

Inventor(s): Erhard MUELLER, et al.

Serial No. 10/014,796 Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS
PRODUCTION AND THE USE THEREOF



DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter
- (2) Request for Priority
- (3) Priority Document No. 100 62 881.8

NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
(202)-775-8383

FILE CHECK

Prepared by: W/S

Approved by: 8

Copy reviewed:

Filed by:
GMN/lis:priority.FR
da



BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Group Art Unit: 1712

Date: February 19, 2002

Attorney: GMN

Inventor(s): Erhard MUELLER, et al.

Serial No. 10/014,796 Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS
PRODUCTION AND THE USE THEREOF

DOCUMENTS BEING FILED:

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- (1) Transmittal Letter
- (2) Request for Priority
- (3) Priority Document No. 100 62 881.8

NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
(202)-775-8383

FILE CHECK

Prepared by: WJG

Approved by: 8

Copy reviewed: _____

Filed by: _____
GMN/lg:priority.FR
da



BOX PATENT
Attorney Docket No.: 24857

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 1712

Erhard MUELLER, et al.

Serial No. 10/014,796

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION
AND THE USE THEREOF

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

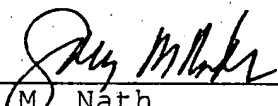
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Request for Priority
- (3) Priority documents No. 100 62 881.8

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Customer No. 20529

Date: February 19, 2002
NATH & ASSOCIATES PLLC
1030 15th Street N.W., 6th Floor
Washington, D.C. 20005
(202)-775-8383
(202)-775-8396 fax
GMN/lis:Priority.TRANS



BOX PATENT
Attorney Docket No. 24857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Erhard MUELLER, et al.

Serial No. 10/014,796

Filed: February 19, 2002

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS
PRODUCTION AND THE USE THEREOF

REQUEST FOR PRIORITY UNDER 35 U.S.C. §119

Commissioner of Patents
Washington, D.C. 20231

Sir:

In the matter of the above-captioned application, notice is hereby given that the Applicant claims as priority date December 16, 2000, the filing date of the corresponding application filed in GERMANY, bearing Application Number 100 62 881.8.

A Certified Copy of the corresponding application is submitted herewith.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: February 19, 2002

By: 

Gary M. Nath
Registration No. 26,965
Customer No. 20529

NATH & ASSOCIATES PLLC
6TH Floor
1030 15TH Street, N.W.
Washington, D.C. 20005
(202)-775-8383
GMN/lb(Priority)

BUNDESREPUBLIK DEUTSCHLAND



Prioritätsbescheinigung über die Einreichung einer Patentanmeldung

Aktenzeichen: 100 62 881.8

Anmeldetag: 16. Dezember 2000

Anmelder/Inhaber: Deutsche Institute für Textil- und Faserforschung
Stuttgart Stiftung des öffentlichen Rechts,
Denkendorf, Württ/DE

Bezeichnung: Nahtmaterial für die Chirurgie, Verfahren zu seiner
Herstellung und Verwendung

IPC: A 61 L, A 61 B

Die angehefteten Stücke sind eine richtige und genaue Wiedergabe der ursprünglichen Unterlagen dieser Patentanmeldung.

München, den 22. November 2001
Deutsches Patent- und Markenamt
Der Präsident
Im Auftrag

Wallner

BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Date: February 27, 2002

Attorney: GMN/JKH

Inventors: 1) Erhard MUELLER
2) Heinrich PLANCK
3) Sven OBERHOFFNER

Serial No. 10/014,796

Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION
AND THE USE THEREOF

DOCUMENTS BEING FILED HERewith:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter;
- (2) IDS Statement;
- (3) IDS Transmittal Letter;
- (4) Form PTO-1449 with seventeen (17) references; and
- (5) German Search Report dated October 12, 2001

NATH & ASSOCIATES PLLC
1030 Fifteenth Street, N.W.
Sixth Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396

FILE CHECK

Prepared by: JKH

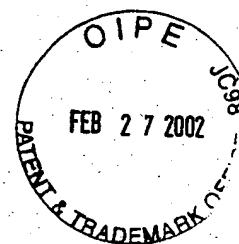
Approved by: JKH

Copy reviewed: _____

Filed by: _____

GMN/JKH:dd:FILREC

dd



BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Date: February 27, 2002

Attorney: GMN/JKH

Inventors: 1) Erhard MUELLER
2) Heinrich PLANCK
3) Sven OBERHOFFNER

Serial No. 10/014,796

Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION
AND THE USE THEREOF

DOCUMENTS BEING FILED HEREWITH:

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- (1) Transmittal Letter;
- (2) IDS Statement;
- (3) IDS Transmittal Letter;
- (4) Form PTO-1449 with seventeen (17) references; and
- (5) German Search Report dated October 12, 2001

NATH & ASSOCIATES PLLC
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Sixth Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396

FILE CHECK

Prepared by: JKH

Approved by: JKH

Copy reviewed: _____

Filed by: _____

GMN/JKH:dd:FILREC
26

BOX PATENT
Atty. Docket No. 24857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MUELLER et al.

Serial No. 10/014,796

Group Art Unit: 1712

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION
AND THE USE THEREOF

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and
Trademark Office is the following:

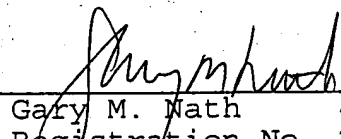
- (1) Transmittal Letter;
- (2) IDS Statement;
- (3) IDS Transmittal Letter;
- (4) Form PTO-1449 with seventeen (17) references; and
- (5) German Search Report dated October 12, 2001.

No fee is believed to be due; however, to the extent that
a fee should be due, the Commissioner is hereby authorized to
charge any deficiency or credit any excess to Deposit Account
No.14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Customer No. 20529

Date: February 27, 2002
NATH & ASSOCIATES PLLC
1030 15th Street, NW - 6th Floor
Washington, D.C. 20005
Telephone: 202-775-8383
Facsimile: 202-775-8396

BOX PATENT APPLICATION
Attorney Docket No. 24857

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Group Art Unit: 1712

MUELLER et al.

Serial No. 10/014,796

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION AND
THE USE THEREOF

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to Applicant's duty of disclosure under 37 C.F.R. §§1.56 and 1.97-1.99, the documents listed on the attached Form PTO-1449 are being brought to the attention of the Examiner in charge of the above-identified application. No fee is required for this submission because it is submitted before the mailing date of a first Office Action on the merits.

Copies of the documents are attached herewith with a completed Form PTO-1449. The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449

Page 2

Docket No. 24857

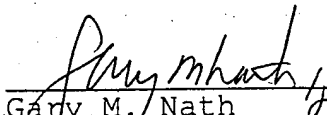
with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

NATH & ASSOCIATES

Date: February 27, 2002



Gary M. Nath
Registration No. 26,965.
Customer No. 20529

NATH & ASSOCIATES
1030 15th Street, NW 6th - Floor
Washington, D.C. 20005
Tel: (202) 775-8383
Fax: (202) 775-8396
(GMN/jkh:IDS)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 1712

MUELLER et al.

Attorney: GMN/JKH

Serial No. 10/014,796

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION AND
THE USE THEREOF

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231
S I R :

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or
- [] ii. a check in the amount of \$180.00 required by 37 C.F.R. §1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

PETITION: It is requested that the information being submitted be considered. [NOTE: If box (c) is checked, the following two boxes must be checked.]

- [] PETITION FEE: A check for \$130.00 required by 37 CFR §1.17(i)(1), is enclosed.
- [] CERTIFICATION is attended to in box (e) below.

- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.
- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

- ☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112. A duplicate of this sheet is enclosed.

Respectfully submitted,
NATH & ASSOCIATES PLLC

Date: February 27, 2002

By: 

Gary M. Nath
Registration No. 26,965
Customer No. 20529

NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
Tel. (202) 775-8383
Fax. (202) 775-8396
GMN/dd (IDS.HLN)

FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
24857Serial No.
10/014,796Applicant
MUELLER et al.Filing Date
December 14, 2001Group Art Unit
1712

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	6,011,121 ✓	Jan. 4, 2000	GOLDMANN et al.	525	414	Aug. 13, 1997
	AB	5,889,075 ✓	Mar. 30, 1999	ROBY et al.	522	87	Oct. 10, 1997
	AC	5,431,679 ✓	Jul. 11, 1995	BENNETT et al.	606	230	Mar. 10, 1994
	AD	5,076,807 ✓	Dec. 31, 1991	BEZWADA et al.	606	230	Jul. 31, 1989
	AE	4,705,820 ✓	Nov. 10, 1987	WANG et al.	524	381	Sep. 5, 1986
	AF						
	AG						
	AH						
	AI						
	AJ						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AK	198 28 416 ✓	June 2, 1999	DE			Yes
	AL	196 41 335 ✓	April 9, 1998	DE			Yes
	AM	40 03 233 ✓	August 8, 1991	DE			Yes
	AN	39 37 272 ✓	May 16, 1991	DE			Yes
	AO	0 908 482 ✓	April 14, 1999	EP			Yes

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AP		
--	----	--	--

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
24857Serial No.
10/014,796Applicant
MUELLER et al.Filing Date
December 14, 2001Group Art Unit
1712

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BA						
	BB						
	BC						
	BD						
	BE						
	BF						
	BG						
	BH						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	BI	0 839 542	May 6, 1998	EP			Yes
	BJ	0 774 265 ✓	May 21, 1997	EP			Yes
	BK	0 635 531 ✓	Jan. 25, 1995	EP			Yes
	BL	0 608 139 ✓	Jul. 27, 1994	EP			Yes
	BM	WO 00/22991 ✓	Apr. 27, 2000	PCT			Yes
	BN	WO 00/16699 ✓	Mar. 30, 2000	PCT			Yes
	BO	WO 00/01307 ✓	Jan. 13, 2000	PCT			Yes
	BP						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	BQ	
--	----	--

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Group Art Unit: 1712

Date: May 22, 2002

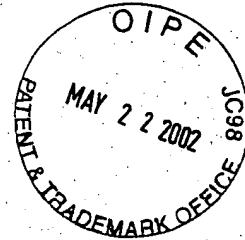
Attorney: GMN

Inventor(s): Erhard MUELLER, et al.

Serial No. 10/014,796

Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS
PRODUCTION AND THE USE THEREOF



DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 and 7 references;
- (4) European Search Report date April 12, 2002.

NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
(202)-775-8383

FILE CHECK

Prepared by:

Approved by:

Copy reviewed:

Filed by:

GMN/dd:IDS.FR

[Handwritten signatures]

BOX PATENT

FILING RECEIPT

Attorney Docket No. 24857

Group Art Unit: 1712

Date: ~~February~~ May 22, 2002

Attorney: GMN

Inventor(s): Erhard MUELLER, et al.

Serial No. 10/014,796 Filed: December 14, 2001

Title: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS
PRODUCTION AND THE USE THEREOF

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 and 7 references;
- (4) European Search Report date April 12, 2002.

NATH & ASSOCIATES PLLC
1030 15th Street, N.W., 6th Floor
Washington, D.C. 20005
(202)-775-8383

FILE CHECK

Prepared by:

Approved by:

Copy reviewed:

Filed by:
GMN/dd:IDS.FR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Group Art Unit: 1712

Erhard MUELLER, et al.

Serial No. 10/014,796

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION AND
THE USE THEREOF

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark
Office is the following:

- (1) Transmittal Letter
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 and 7 references;
- (4) European Search Report date April 12, 2002.

The Commissioner is hereby authorized to charge any deficiency
or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By: 

Gary M. Nath
Registration No. 26,965
Customer No. 20529

Date: May 22, 2002
NATH & ASSOCIATES PLLC
1030 15th Street N.W., 6th Floor
Washington, D.C. 20005
(202) 775-8383
GMN/dd:IDS.TRANS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 1712

Erhard MUELLER, et al.

Serial No. 10/014,796

Filed: December 14, 2001

For: SUTURE MATERIAL FOR SURGERY, PROCESSES FOR ITS PRODUCTION AND
THE USE THEREOF

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Sir:

An Information Disclosure Statement is submitted herewith pursuant
to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [X] a. The enclosed statement is being filed within three months of
the filing date of a national application, or within three
months of the date of entry into the national stage as set
forth in 37 C.F.R. §1.491 in an international application, or
before the mailing date of a first Office Action on the
merits, whichever event occurs last.
- [] b. The enclosed statement is being filed after a first action on
the merits but before the mailing date of a final action under
37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R.
§1.311.

The enclosed statement is accompanied by [check one]:

- [] i. a certification in part (e) below as specified in 37
C.F.R. §1.97(e), or
- [] ii. a check in the amount required by 37 C.F.R.
§1.17(p).
- [] c. The enclosed statement is being filed after the mailing date
of a final action under 37 C.F.R. §1.113, or a notice of
allowance under 37 C.F.R. §1.311, but before payment of the
issue fee.
[] Certification report(e) below; and
[] a check in the amount as required by §1.17(p).
- [] d. The enclosed statement is being filed pursuant to
37 C.F.R. §1.97(i), for placement in the file.
- [] e. Certification [Check one] [Certification is required only if
box (b)(i) or box (c) is checked.]

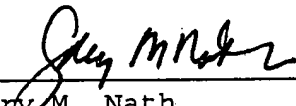
- ☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
- or
- ☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- or
- ☐ Appropriate certification is attached.
- ☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- ☒ g. Copies of the documents are attached herewith with a completed Form PTO-1449.
- or
- ☐ Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,
NATH & ASSOCIATES

By: _____


Gary M. Nath
Registration No. 26,965
Customer No. 20529

Date: May 22, 2002
NATH & ASSOCIATES
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Washington, D.C. 20005
Tel. (202) 775-8383
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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
24857Serial No.
10/014,796Applicant
Mueller et al.Filing Date
Dec. 14, 2001Group Art Unit
1712

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BA	5,854,383	12.29.98	Erneta et al.			10.06.97
	BB	6,031,069 (equivalent to DE A 19641334)	02.29.00	Oberhoffner et al.			02.29.00
	BC	4,705,820 (equivalent to EP A 0908142)	11.10.87	Wang et al.			09.05.86
	BD	6,031,018 (equivalent to EP A 0258749)	02.29.00	Scopelianos et al.			12.01.97
	BE	5,468,253 (equivalent to EP A 0739636)	11.21.95	Bezwada et al.			11.21.95
	BF	6,183,499 (equivalent to EP A 1074,270)	02.06.01	Fischer et al.			08.04.99

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	BG	0 608 139 A1	27.07.94	EP			yes
	BH						
	BI						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	BJ		
	BK		
	BL		

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,796	12/14/2001	Erhard Mueller	24857	1639
7590 03/18/2004				
NATH & ASSOCIATES PLLC 1030 15TH Street NW - 6th Floor Washington, DC 20005			EXAMINER GRAY, JILL M	
			ART UNIT 1774	PAPER NUMBER

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/014,796

Applicant(s)

MUELLER ET AL.

Examiner

Jill M. Gray

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/27/02, 5/22/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

Claim Objections

Claims 7, 9 and 22 are objected to because of the following informalities: In claim 7, line 3 the word "of" is omitted. In claim 9, line 1 "on" should be "one". Claim 22, line 1, the word "the" is omitted. Appropriate correction is required.

Priority

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on December 16, 2000. It is noted, however, that applicant has not filed a certified copy of the German application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

The non-initialed references were not considered because no copy has been provided.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 6, 8, 10, 12-21 and 24-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

More specifically, in claim 1, the language of "comprising one or more filaments and formed with a coating" is indefinite because it is not clear whether this language refers to coated filaments per se, or a process of making the filaments.

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In claim 6, the language of "in the range of more than 30,000 Daltons" is indefinite because no range is specified. The suggested language is "molecular weight of more than 30,000 Daltons".

As to claim 8, a broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 8 recites the broad recitation inherent viscosity of 0.4 to 3.0 dl/g, and the claim also recites "particularly 0.7 to 1.3 dl/g" which is the narrower statement of the range/limitation.

In claim 10, the language of "formed from a combination of the bioresorbable polymer with fatty acid salts" is vague and indefinite because the term "combination" is non-specific and can describe mixed, blended, grafted or polymerized.

As to claim 12, this claim is generally narrative and indefinite, failing to conform with current U.S. practice.

Claim 13 is vague and indefinite and is drawn to the future processing of the terpolymer. Also, this claim does not provide a positive recitation of the terpolymer properties.

In claim 14, line 1, the word "it" is vague and indefinite because it is not clear whether this term refers to the terpolymer or suture material. Also, the language of "formed from a combination of the bioresorbable polymer with fatty acid salts" is vague and indefinite because the term "combination" is non-specific and can describe mixed, blended, grafted or polymerized.

Claim 15 is vague and indefinite for the reasons stated above.

Claim 16 is indefinite because this claim is generally narrative and indefinite, failing to conform with current U.S. practice. Also, the language of "wherein the coating takes place by the application of a bioresorbable polymer" is vague because it does not provide a clear recitation of process steps that define how this application takes place, what is applied and the substrate that receives the applied material.

Claim 17 is indefinite because this claim is generally narrative and indefinite, failing to conform with current U.S. practice.

As to claim 18, this claim is indefinite because a broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is

Art Unit: 1774

followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949). In the present instance, claim 18 recites the broad recitation a concentration of 0.1 to 10, and the claim also recites 0.5 to 5 wt. % which is the narrower statement of the range/limitation. Also, the range 0.1 to 10 does not have units of measurements. The suggested range is 0.1 to 10 wt. %.

Claims 19-21 are indefinite because these claims are generally narrative in form, failing to conform with current U.S. practice. The language that renders these claims narrative is "wherein for coating purposes".

Claim 24 is indefinite because this claim is generally narrative in form and fails to conform with current U.S. practice. In particular, this claim does not provide a positive recitation of a process step wherein the terpolymer is melted.

Claim 25 is vague and indefinite because it is not clear whether the term "coating" in line 1 refers to the coating process or coating solution. Also, the language of "formed from a combination of the bioresorbable polymer with fatty acid salts" is vague and indefinite because the term "combination" is non-specific and can describe mixed, blended, grafted or polymerized.

Claim Rejections - 35 USC § 102

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12, 14 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Wang et al, 4,705,820 (Wang).

Wang teaches a coating material for surgical sutures formed from a bioresorbable random terpolymer having an amorphous structure and a process for producing said suture wherein said terpolymer contains fatty acid salts and is dissolved in an organic solvent when applied to the substrate, as required by claims 12, 14 and 16-17. See abstract, column 1, lines 5-13, column 3, line 6, and lines 50-53 and Example 8.

Therefore, the teachings of Wang anticipate the invention as claimed in present claims 12, 14 and 16-17.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-11, 13, 15, 18-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al, 4,708,820 (Wang) in view of Bezwada et al, 5,371,176 and 4,994,074 (Bezwada).

Wang teaches a surgical suture coating comprising an amorphous bioresorbable random copolymer, said copolymer comprising glycolide and trimethylene carbonate, that can be present in amounts within applicants' range, further teaching that his polymer can contain other monomers such as caprolactone, as required by claims 1, 4 and 5. See abstract, column 1, line 5-9 and column 3, lines 6-7. Wang does not specify the amount of said monomers that can be added. In addition, Wang teaches that his coating has an inherent viscosity of from 0.5 to 3 dl/g and a glass transition temperature of less than about 25°C, as required by claims 7 and 8. See column 2, lines 3-37. The coating of Wang can contain a plasticizer and fatty acid salts, per claims 9-10, 14-15 and 25, although silent as to the specific amount of plasticizers. See column 3, lines 45-51 and Example 8. Regarding claim 6, Wang does not teach specific molecular weight amounts of his polymer. However, he does teach that his polymer has a relatively high molecular weight in order to have a reasonable tensile strength. Note column 3, line 29-35. Accordingly, it is the examiner's position that this teaching of Wang renders obvious the requirement of claim 6 of an average molecular weight in the range of more than 30,000 Daltons. The skilled artisan would have been reasonably motivated to use higher molecular weight polymers in order to have relatively good tensile strength. As to claims 18 and 24, Wang teaches a process for coating a suture material wherein the polymer is incorporated in a concentration within applicants' range and dried. See Example 8.

Bezwada '176 teaches an absorbable polymer for use as a coating for surgical sutures comprising about 50-90 parts by weight of lactone monomers such as e-

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caprolactone and trimethylene carbonate and about 90-10 parts by weight of glycolide, wherein a mixture of lactones can be used. See abstract, and column 3, line 56 through column 4, and line 17. The polymer can also contain fatty acid salts, as set forth by applicants in claims 10, 14-15, and 25, and a plasticizer in an amount ranging from 0.5 to about 30 parts by weight, per claim 9. See column 5, lines 5-15. In addition, Bezwada '176 teaches that the coating can be applied to the surface of the suture in an amount ranging from about 0.5 to about 30 percent of the weight of the coated suture, as required by claim 11. See column 6, lines 30-42.

As set forth previously, Wang teaches that his polymer comprises glycolide and trimethylene carbonate and can comprise monomers such as caprolactone, although silent as to the specific amount of caprolactone. It would have been obvious to form a composition as taught by Wang wherein caprolactone is included, thereby using a mixture of soft monomers as taught by Bezwada '176. Furthermore, the teachings of Bezwada '176 would have provided motivation to the skilled artisan to use said mixture in the composition of Wang in amounts within the range of 10 to 50 parts by weight, (which necessarily obviate applicants' range of claim 1 and ratio of claim 4) in order to obtain a coating that is compatible with conventional solvents and aids in providing a lowered melting temperature and glass transition temperature.

As to claim 9, the teachings of Bezwada '176 of using a plasticizer in amounts within applicants' range would have provided direction to the skilled artisan at the time the invention was made to modify the composition of Wang by including 1 to 30 wt% of a plasticizer in order to enhance the performance of the polymer. Furthermore, the

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teachings of Bezwada '176 would have provided a suggestion and motivation to the skilled artisan to coat the composition of Wang onto suture material such that the coating represents 0.5 to about 30wt% of the total weight of the coated suture material, as contemplated by applicants in claim 11 to result in a coated suture that is slippery and easy to manipulate without increasing the risk of the coating flaking off.

As to claims 19-23, Bezwada '176 teaches a process for producing suture material wherein a suture material is dipped in a coating solution containing organic solvents and cured in an oven at 100°-200°C (Example 8) and Bezwada '074 teaches that "once a solution of the copolymer is prepared, a suture can be coated using conventional coating techniques, e.g. dipping, spraying, etc." (column 3, lines 47-51). The teaching of Bezwada '176 would have provided direction and a suggestion to the skilled artisan at the time the invention was made to modify the process as taught by Wang, wherein after coating, the suture material is dried with a heating device at a temperature within applicants' range as set forth in claim 23 with the reasonable expectation of removing the solvent. In addition, the teachings of Bezwada '074 would have provided a suggestion to the skilled artisan that any conventional coating techniques known in the art such as those contemplated by applicants in claims 19-21 could be used in the process of Wang with the reasonable expectation of success of obtaining coated suture material. As to claim 22, this requirement is no more than what would be considered in the room temperature range. It would have been obvious to perform the coating process within the room temperature range in the absence of clear factual evidence to the contrary.

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Therefore, the combined teachings of Wang and Bezwada '176 and '074 would have rendered obvious the invention as claimed in present claims 1, 4-11, 13, 15, and 18-25.

No claims are allowed.

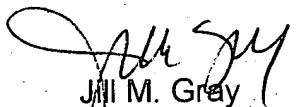
Conclusion

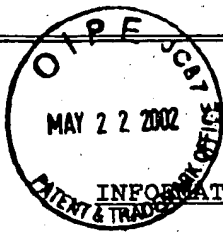
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jill M. Gray whose telephone number is 571-272-1524. The examiner can normally be reached on M-F 10:30-7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jill M. Gray
Examiner
Art Unit 1774



FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Atty Docket
24857Serial No.
10/014,796Applicant
Mueller et al.Filing Date
Dec. 14, 2001Group Art Unit
1712

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
<i>JA</i>	BA	5,854,383	12.29.98	Erneta et al.			10.06.97
<i>JA</i>	BB	6,031,069 (equivalent to DE A 19641334)	02.29.00	Oberhoffner et al.			02.29.00
	BC	4,705,820 (equivalent to EP A 0908142)	11.10.87	Wang et al.			09.05.86
<i>JA</i>	BD	6,031,018 (equivalent to EP A 0258749)	02.29.00	Scopelianos et al.			12.01.97
	BE	5,468,253 (equivalent to EP A 0739636)	11.21.95	Bezwada et al.			11.21.95
<i>JA</i>	BF	6,183,499 (equivalent to EP A 1074,270)	02.06.01	Fischer et al.			08.04.99

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	BI						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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	BK		
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.

OIPE JC108

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Atty Docket
24857

Serial No.
10/014,796

Applicant
MUELLER et al.

Filing Date
December 14, 2001

Group Art Unit
1712/774

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
AA	6,011,121 ✓	Jan. 4, 2000	GOLDMANN et al.	525	414	Aug. 13, 1997
AB	5,889,075 ✓	Mar. 30, 1999	ROBY et al.	522	87	Oct. 10, 1997
AC	5,431,679 ✓	Jul. 11, 1995	BENNETT et al.	606	230	Mar. 10, 1994
AD	5,076,807 ✓	Dec. 31, 1991	BEZWADA et al.	606	230	Jul. 31, 1989
AE	4,705,820 ✓	Nov. 10, 1987	WANG et al.	524	381	Sep. 5, 1986
AF						
AG						
AH						
AI						
AJ						

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub-Class	Translation
AK 198 28 416 ✓	June 2, 1999	DE			Yes
AL 196 41 335 ✓	April 9, 1998	DE			Yes
AM 40 03 233 ✓	August 8, 1991	DE			Yes
AN 39 37 272 ✓	May 16, 1991	DE			Yes
AO 0 908 482 ✓	April 14, 1999	EP			Yes

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AP	
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
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Include copy of this form with next communication to Applicant.

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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty Docket
24857Serial No.
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MUELLER et al.Filing Date
December 14, 2001

Group Art Unit

1712/774

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	BA						
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	BC						
	BD						
	BE						
	BF						
	BG						
	BH						

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	BI	0 839 542 ✓	May 6, 1998	EP			Yes
	BJ	0 774 265 ✓	May 21, 1997	EP			Yes
	BK	0 635 531 ✓	Jan. 25, 1995	EP			Yes
	BL	0 608 139 ✓	Jul. 27, 1994	EP			Yes
	BM	WO 00/22991 ✓	Apr. 27, 2000	PCT			Yes
	BN	WO 00/16699 ✓	Mar. 30, 2000	PCT			Yes
	BO	WO 00/01307 ✓	Jan. 13, 2000	PCT			Yes
	BP						

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	BQ	
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP § 609.
 Draw line through citation if not in conformance and not considered.
 Include copy of this form with next communication to Applicant.

Notice of References Cited	Application/Control No. 10/014,796	Applicant(s)/Patent Under Reexamination MUELLER ET AL.	
	Examiner Jill M. Gray	Art Unit 1774	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,857,602	08-1989	Casey et al.	525/408
	B	US-4,994,074	02-1991	Bezwada et al.	606/230
	C	US-5,312,642	05-1994	Chesterfield et al.	427/2.31
	D	US-5,371,176	12-1994	Bezwada et al.	528/354
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